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United States District Court
Central District of California

HEALTHCARE ALLY
MANAGEMENT OF CALIFORNIA,
LLC,

 Plaintiff,

 v.
ARNOLD & PORTER KAYE
SCHOLER LLP et al.,

 Defendants.

Case № 2:23-cv-01935-ODW (SKx)

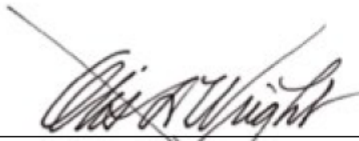
**ORDER DENYING MOTION TO
DISMISS AS MOOT [11]**

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1 Defendant Arnold & Porter Kaye Scholer, LLP filed a Federal Rule of Civil
2 Procedure 12(b)(6) motion to dismiss in this case on April 12, 2023. (ECF No. 11.)
3 On April 22, 2023, Plaintiff filed a First Amended Complaint. (ECF No. 12.) Federal
4 Rule of Civil Procedure 15(a)(1) allows Plaintiff to file an amended complaint once as
5 a matter of course within twenty-one days of service with a Rule 12(b) motion.
6 Therefore, Plaintiff's amended complaint was proper. As the pending motion to
7 dismiss was based on a complaint that is no longer operative, the motion is **DENIED**
8 as **MOOT**. *See Ramirez v. Cty. of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir.
9 2015).

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11 **IT IS SO ORDERED.**

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13 April 24, 2023

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16 **OTIS D. WRIGHT, II**
17 **UNITED STATES DISTRICT JUDGE**
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